

Freedom Court Reporting, Inc**1**

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF TEXAS
3 MARSHALL DIVISION

4 PATTY BEALL, MATTHEW
5 MAXWELL, TALINA MCELHANY AND
6 KELLY HAMPTON, individually
7 and on behalf of all other similarly situated;

8 Plaintiffs,

9

-vs-

2:08-cv-422 TJW

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11 TYLER TECHNOLOGIES, INC. AND
12 EDP ENTERPRISES, INC.

13

Defendants.

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15

DEPOSITION OF JILL MARIE BROWN

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Taken by the Defendants on the 31st day of August, 2010, at
the offices of Bay Harbor Village Hotel, 4000 Main Street,
Petoskey, Michigan, at 10:03 a.m.

17

APPEARANCES:

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For the Plaintiffs: MS. LAUREEN F. BAGLEY
Sloan, Bagley, Hatcher & Perry Law Firm
101 East Whaley Street
P.O. Drawer 2909
Longview, Texas 75606
(903) 757-7000

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For the Defendants: MS. FARIN KHOSRAVI
Morgan, Lewis & Bockius, LLP
1717 Main Street
Suite 3200
Dallas, Texas 75201-7347
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REPORTED BY: Kristine K. Grigsby, RPR
Certified Shorthand Reporter, #4834
(231) 625-0095

25

1 was back in 2007?

2 A. I don't.

3 Q. Okay.

4 (Brown Deposition Exhibit Number 1 was marked
5 for identification at 10:12 a.m.)

6 BY MS. KHOSRAVI:

7 Q. Ms. Brown, I'm going to hand you what's been marked as
8 Exhibit Number 1. Do you recognize this document?

9 A. Yes.

10 Q. Tell me what it is.

11 A. My offer of employment.

12 Q. Okay. And review that letter and see if that refreshes your
13 memory with respect to your starting salary at Tyler
14 Technologies.

15 A. Yes.

16 Q. And how much -- what was your starting salary at Tyler
17 Technologies?

18 A. Forty-five thousand.

19 Q. Okay. That was your annual salary?

20 A. Yes.

21 Q. And were you getting paid twice a month, on a biweekly or
22 semimonthly --

23 A. Biweekly.

24 Q. Biweekly. And when you got an offer of employment with

25 Tyler Technologies, did you understand this to be a salaried

1 position?

2 A. Yes.

3 Q. And did you understand that you were not going to receive
4 overtime pay for any hours worked over 40 hours per week?

5 MS. BAGLEY: Object to form.

6 THE WITNESS: Yes.

7 BY MS. KHOSRAVI:

8 Q. Tell me, before you got this offer letter, how did you learn
9 of an opportunity with Tyler Technologies. How did you know
10 there was a job available for you to apply?

11 A. It was on -- online I found it.

12 Q. And at that time were you employed?

13 A. Yes.

14 Q. And who was your employer at that time?

15 A. Emmet County.

16 Q. Say that one more time.

17 A. Emmet County.

18 Q. Emmet County. And what was your position with Emmet County?

19 A. Chief deputy county clerk.

20 Q. And why did you become interested in an implementation
21 specialist position with Tyler?

22 A. Because I like working with computers and I like working
23 with users, and it sounded like it was an interesting job
24 with the travel and . . .

25 Q. Were you working with Tyler Technologies' software at that

1 said, the first person you interviewed with? I'm sorry. I
2 forgot.

3 A. Jim.

4 Q. Jim.

5 A. Yes.

6 Q. Do you remember the topics of discussion with Jim?

7 A. No, I don't. It's been --

8 Q. You men --

9 A. -- a long time.

10 Q. You mentioned earlier that one reason the job appealed to
11 you was the opportunity to travel. Do you remember that?

12 A. Yes.

13 Q. Did you have an chance to discuss with either Webster or Jim
14 the travel that was going to be required?

15 A. Yes.

16 Q. And what do you remember about the travel requirements?

17 A. I remember Chris was telling me that it involved a lot of
18 travel and that if I ever wanted to bring a family member
19 with me, that I was -- that Tyler would let me fly them down
20 with me, and that was pretty -- pretty much what I can
21 recall.

22 Q. What did you understand the number of hours that you were
23 going to be working was going to be?

24 A. My understanding was the average of 40 and that it -- it was
25 going to be more -- more Monday through Friday typically;

1 that occasionally there might be a weekend, but typically
2 Monday through Friday.

3 Q. Did you understand that the number of hours that you were
4 going to work each week was going to vary depending on how
5 much work there was?

6 A. Yes. A little bit.

7 Q. Meaning you understood that you were not going to be working
8 40 hours or 41 hours or 45 hours week after week, it was
9 going to vary; is that -- is that right?

10 A. Sometimes 40, sometimes less, sometimes maybe a little more.
11 Yes.

12 Q. Okay. Who -- did somebody call -- did somebody call you to
13 let you know that you were hired, they had accepted your
14 employment application, the interview had gone well?

15 A. No.

16 Q. How did you learn that you got employed by Tyler
17 Technologies?

18 A. They told me when I was down there for my interview.

19 Q. Was it Chris Webster who told you?

20 A. Yes.

21 Q. So you got hired on the spot at your interview?

22 A. Yes.

23 Q. Did Chris -- do you remember Chris Webster's position at
24 that time, back in 2007?

25 A. Yes.

1 CERTIFICATE OF NOTARY

2 STATE OF MICHIGAN)

3) SS.

4 COUNTY OF CHEBOYGAN)

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6

7 I, Kristine K. Grigsby, a Notary Public in and for the

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9 above county and state, do hereby certify that the above

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11 deposition was taken before me at the time and place

12

13 hereinbefore set forth; that the witness was by me first

14

15 duly sworn to testify to the truth, and nothing but the

16

17 truth; that the foregoing questions asked and answers made

18

19 by the witness were duly recorded by me stenographically and

20

21 reduced to computer transcription; that this is a true, full

22

23 and correct transcript of my stenographic notes so taken;

24

25 and that I am not related to, nor of counsel to either party

26

27 nor interested in the event of this case.

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32 _____
33 KRISTINE K. GRIGSBY, CSR-4834, RPR

34 Notary Public,

35 Cheboygan County, Michigan

36 (Acting in Emmet County)

37 My Commission Expires: April 23, 2011